

ELK SPRINGS HOA EXECUTIVE BOARD MEETING

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EXECUTIVE BOARD MEETING MINUTES

Thursday, February 10, 2022 at 5:00 PM
Via Zoom Conferencing

I. Call to Order

The meeting was called to order at 5:06 p.m.

II. Establishment of Quorum

A quorum was verified, board members present were Gregg Plummer, Brandon Watson, Greg Boecker, Heidi Treleven, and Patrick Fitzgerald. Also in attendance was Sam Engen and Bob Johnson, IMM and Amanda Maurer, Attorney.

III. Homeowner Open Forum

No comments.

IV. Approval of Prior Meeting Minutes

Greg B. stated that under the DRG discussion, section 6.15 should include a note that the up to 28 tree requirements will have a lesser height requirement than what is currently in the DRGs. Patrick also noted that under 6.9.3, the word "wide" should be added after 20 feet for clarity. Greg B. motioned to approve the January meeting minutes with these revisions. Heidi seconded, and all were in favor.

V. Financial Review

Gregg P. reviewed year end financials, reporting the Association was \$107,917 income over expense for the year mainly due to architectural review and construction admin fees which are collected in advance. Total expenses for the year were underbudget by \$81,087 due to some of the planned projects for the year not being completed such as the road to the water tank and planting of trees at the water tank. The road expenses for the year were also under budget by \$70,662.

VI. Committee Reports

Approval of 2022 fire mitigation funds: Ed Holub, FMC Chair, reported that total funds spent in 2021 for fire mitigation work was \$52,450. This is roughly 28% of the FRWRM Grant. The association has until Sept 2025 to use the remaining funds. The FMC is recommending the Board approve additional lop and scatter work for early spring of 2022. This work will tie into work Elk Springs LLC is doing on their property which is adjacent to HOA common space. Greg B. motioned to approve the bid from Western Vegetation Management for \$27,000 for lop and scatter work on roughly 15 acres of common land downhill from private lots to improve forest health and reduce rate of spread during a wildfire. Patrick seconded, and all were in favor.

Discussion was had about doing some additional lop and scatter work in the Filing 9 area. Ed informed the board that Mike at Western Vegetation Management has also recommended performing lop and scatter work on 14 acres on the west end of the subdivision plus an additional 9 acres near the

entrance. Greg motioned to approve an additional \$27,000 for this lop and scatter work so long as the temperatures remain low enough to operate. Brandon seconded; motion passed 4-1. The Board would also like the FMC to submit for reimbursement from the grant sooner than later to ensure we receive funds back timely.

- a. **Other:** no additional updates.

VII. Discussion & Action Items

- a. **Review and Vote on Proposed Bylaw Amendment – see attached revised PDF of the proposed changes to bylaws:** The following issues were discussed:

- **4.9** – the board would like more clarification added to show that a general proxy may be directed if the owner wishes.
- **6.9 b)** – add designee “of Association” to be consistent throughout the document
- **10.2 c)** – delete and replace with the following, *“Any time the Association Board or an officer delegates powers relating to collection, deposit, transfer or disbursement of Association funds to the managing agent, or an accounting or bookkeeping professional, such agent shall maintain all funds and accounts of the Association separate from the funds and accounts of other associations managed by such agent and maintain all reserve accounts of each association so managed separate from operational accounts of the Association.”*
- **11.3** – A unanimous vote of the board is needed to make changes to the Bylaws. The board was divided on the decision to leave this unanimous or make the change to a super majority. The consensus was to leave it as is so changes can be made to other sections of the bylaws. Amanda informed the board that if the membership feels strongly about wanting to change this, they have the option to do so under section 11.2. This states that, *“Any amendment to fix a lesser or greater quorum requirement or a greater voting requirement for Members or a greater quorum or voting requirement for the Board may only be adopted upon an affirmative vote of a majority of the Members votes in the Association present or represented by proxy at any regular or special meeting, provided that a quorum is present at any such meeting.”* A meeting of the members can be called by the Board or can be called upon receipt of a petition signed by Owners holding at least twenty percent (20%) of the votes in the Association. Further discussion on if a member meeting is needed will be had at the March Board meeting.

- b. **Design Review Guidelines – continue discussion on revisions:** The following issues were discussed:

- The ARC presented a landscaping plant list which will be added to the DRGs. The board is recommending making this list “strongly recommended/encouraged” to owners but not required.
- **6.15** – there was some discussion on making any pool of water above a certain gallon limit not permitted.
- **Removal of Dead/Diseased Trees** – there was some discussion about requiring the removal of trees at the beginning of construction, would occur prior to or during excavation phase. A fire mitigation plan will be required to be submitted at plan review. Total area of lot that needs to be mitigation still is being discussed. 300 feet from the home was suggested but after further discussion was not practicable for most lots. ARC will research further of determining perimeter distance and if it should be from home or building envelope. It was noted that the DRG should specify when and how long wood can be stacked before removal is required.
- **7.12** - 25% reflectivity for roofs was being recommend by the ARC. The board would like to see samples of what this looks like.
- **5.10** – Road impact fee will be increased to \$3500.

- **ARC Record Keeping and File sharing update:** all files have been shared viz Dropbox with IMM and uploaded to their server. Will plans to update the Dropbox monthly with new documents.

VIII. Additional Business

- a. **Update on easement agreement lots 91/92:** discussion was tabled.
- b. **Report from Amanda on the status of two adjoining subdivisions:** Amanda presented the Board with information on the development rights for Lake Springs Ranch PUD and Spring Valley Ranch PUD that neighbor Elk Springs.

Lake Springs Ranch PUD consists of 459 acres located NW of Elk Springs Ranch. 116 single family and 18 multifamily units are currently approved for development within this PUD. ESHOA is within 200' of this PUD and will receive written notice of pending land use applications filed with the county.

Spring Valley Ranch PUD consists of 5200 acres, was amended to 21 phases in 2017, along with a five-year extension for development. This PUD is currently approved for a total of 1 sales office, 1 gate house, 4 open space parcels, 1 pasture lot, 130 cabin lots, 138 estate lots, 115 ranch lots, 92 mountain lots, 20 workforce housing units, 75 CH units, 4 CH parcels, 22 open space parcels, 4 Village Center parcels, 1 RR parcel, 1 light industrial parcel and will require a fire station, emergency access roads and CR 114 and 115 improvements. Under the existing resolution, construction is anticipated between 2022 through 2031. There was a new land use application file opened by the county 12/30/2021 but the documents are not currently available to view online. This is likely a request for approval of a final plat for one of the first phases. The construction is scheduled to commence by April 2022 on initial phases. ESHOA is not within 200' of the boundary of this PUD and is not required to receive written notice of pending land use applications filed with the county.

IX. Executive Session

Heidi motioned to move into executive session to get an update from legal counsel at 8:15 p.m. Brandon seconded, and all were in favor. Returned to open session at 8:44 p.m.

Heidi motioned to authorize Amanda to draft a preliminary water agreement for Auburn Ridge based on the points outlined in the January 27, 2022 letter emailed to the board. Brandon seconded, and all were in favor.

X. Adjournment

The meeting was adjourned at 8:45 p.m.